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Amy Jonsson
Amy Jonsson
Signature Date: January 14, 2002

Attorney Docket No.: RXSD 1001-3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): VINCENT PLUVINAGE et al.

Appl. No.: 09/830,488

Confirm. No.: 8079

Filed: 26 April 2001

Title: System and Method for Producing and Storing
Hearing Profiles and Customized Audio Data Based
on Such Hearing Profiles

Art Unit: 2227

Examiner: Unassigned

Customer No. 22470

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner of Patents
Washington, DC 20231

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an information disclosure statement submitted in the parent application which complies with the Sept. 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance

is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

— **PTA Statement under 37 C.F.R. §704(d).** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

This statement should be considered because:

X **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

— **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
— (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the issue fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

Application No. 09/830,488

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

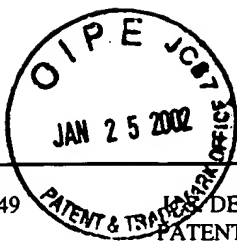
HAYNES BEFFEL & WOLFELD LLP

Date: 11 January 2002

By: 

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Form PTO-1449 (Substitute)	DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number RXSD 1001-3	Serial/Patent Number 09/830,488
	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			Applicant/Patent Owner PLUVINAGE et al.
	Filing/Issue Date 26 April 2001		Group Art Unit 2227	

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Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
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		3,764,745	10/09/73	Bottcher et al.	179	1	03/05/71
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		4,051,331	09/27/77	Strong et al.	179	107	03/29/76
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		4,289,935	09/15/81	Zollner et al.	179	107	02/27/80
		4,548,082	10/22/85	Engebretson et al.	73	585	08/28/84
		4,622,440	11/11/86	Slavin	381	68.1	04/11/84
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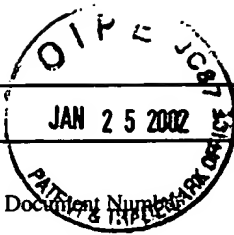
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Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
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		WO 99/14986	03/25/99	WO - PCT			YES
		EP 0 329 383 A2	08/23/89	EP			YES
		WO 98/05150	02/05/98	WO - PCT			YES

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FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Technology Center 2600
							Trans-lation Yes No
		WO 99/31937	06/24/99	WO - PCT			YES
		WO 98/51126	11/12/98	WO - PCT			YES

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)	
	Unser "B-Spline Signal Processing: Part II - Efficient Design and Applications", IEEE Transactions on Signal Processing, pp. 834-848, Vol. 41, No. 2
	U.S. Provisional Application No. 60/177,695, Filed 01/24/00 entitled <i>Remote Hearing Test</i> , inventor Zezhang Hou
	U.S. Provisional Application No. 60/189,010, Filed 03/13/00 entitled <i>Method and System for On-Line Hearing Examination and Correction</i> , inventor Zezhang Hou
	Braida et al., "Review of Recent Research on Multiband Amplitude Compression for the Hearing Impaired" Research Laboratory of Electronics, Massachusetts Institute of Technology Cambridge, Massachusetts pp. 133-140
	Lippmann et al. "Study of Multichannel Amplitude Compression and Linear Amplification for Persons with Sensorineural Hearing Loss" Acoustical Society of America February 69(2) 1981, pp.524-534
	Villchur "Signal Processing to Improve Speech Intelligibility in Perceptive Deafness" The Journal of the Acoustical Society of America, Volume 53, Number 6 1973, pp. 1646-1657
	U.S. Patent Application No. 09/728,623, Filed 12/01/00 entitled <i>Adaptation of Audio Data Files Based On Personal Hearing Profiles</i> , inventor Ali Mouline

Examiner	Date Considered
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
<p>*1 = Copy not submitted because it was submitted in prior application SN <u> </u> / <u> </u>, filed <u> </u>, 20<u> </u>, relied on under 35 USC §120.</p>	
<p>*2 = Copy not submitted because it was submitted in prior application SN <u> </u> / <u> </u>, filed <u> </u>, 20<u> </u>, relied on under 35 USC §120.</p>	